

1
2
3
4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

6 * * *

7 U.S. BANK TRUST, N.A., AS TRUSTEE
8 FOR LSF8 MASTER PARTICIPATION
TRUST,

9 Plaintiff,

10 v.

11 THUNDER PROPERTIES; TIDES 1 HOA
12 AKA THE SANCTUARY OWNERS
ASSOCIATION; NEVADA ASSOCIATION
13 SERVICES,

14 Defendants.

Case No. 2:17-cv-00228-RFB-VCF

ORDER

15
16 On April 21, 2017, this Court certified a question of law regarding NRS 116's notice
17 requirement to the Nevada Supreme Court in Bank of N.Y. Mellon v. Star Hill Homeowners Ass'n,
18 Case No. 2:16-cv-02561-RFB-PAL, ECF No. 41. The Court finds that the outcome of that decision
19 will impact the pending motions in this case. For reasons of judicial economy and to avoid
20 inconsistent decisions or partial decisions on some but not all issues, the Court will not consider
21 any further motions until the parties have had the opportunity to receive and address the Nevada
22 Supreme Court's opinion on this issue.

23
24 **IT IS THEREFORE ORDERED** that this case is hereby STAYED.

25 **IT IS FURTHER ORDERED** that Defendant Tides 1 HOA's Motion to Dismiss, or in
26 the Alternative, Motion for Summary Judgment is DENIED without prejudice. ECF No. [10].

27 The moving party shall have 21 days from the date of the Nevada Supreme Court's
28 decision on the certified question to file a modified Motion to Dismiss/Motion for Summary

1 Judgment or to file a notice renewing the previously filed motion. The opposing party shall have
2 21 days to respond. The moving party shall have 14 days to reply.

3
4 **DATED** this 22nd day of March, 2018.

5
6 

7 **RICHARD F. BOULWARE, II**
8 **UNITED STATES DISTRICT JUDGE**
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28